

Board of Supervisors

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County of Colusa

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COLUSA COUNTY BOARD OF SUPERVISORS Special Meeting Agenda

October 30, 2023

Board Chambers
546 Jay Street, Suite 108
Colusa, CA 95932

Welcome to a meeting of the Colusa County Board of Supervisors. If you are scheduled to address the Board, please state your full name for the record. The Board will not address timed items before they are scheduled. The "Consent Calendar" may be adopted by one motion. Regularly numbered items may be considered at any time during the meeting. All items are listed in accordance with the Ralph M. Brown Act. We invite all members of the public to attend.

NOTE: You can listen to the meeting by dialing one of the numbers below:

Phone: 1-916-246-0723
Toll-Free: 1-800-356-8278
Code: 401978 - **THIS LINE IS FOR LISTENING IN ONLY**

9:00 a.m. CALL TO ORDER

- Opening Prayer - Pledge of Allegiance
- Period of Public Comment

I. PUBLIC WORKS/ROAD DEPARTMENT

1. Find that roadway structural section failure on County Line Road creates an emergency and repairs will not permit delay resulting from a competitive solicitation for bids; **further**

Adopt a Resolution delegating authority to the Purchasing Agent and Director of Public Works to procure the necessary equipment, services, and supplies for the repair of County Line Road, without giving notice for bids to let contracts. **(4/5TH VOTE REQUIRED)**

ADJOURN

PERIOD OF PUBLIC COMMENT: Any person may speak about any subject of concern, provided it is within the purview of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of **15 minutes per issue** and each individual or group will be limited to no more than **5 minutes each**. **Note:** No Board action shall be taken on comments received.

ORDINANCES AND PUBLIC HEARINGS: If you challenge in a court action a decision of the Colusa County Board of Supervisors regarding a zoning, planning, land use, or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues (1) you or someone else raised at such public hearing, or (2) raised in written correspondence delivered to the Colusa County Board of Supervisors at, or prior to, such public hearing.

ADA COMPLIANCE: Upon request, Agendas will be made available in alternative formats to accommodate persons with disabilities. In addition, any person with a disability who requires a modification or accommodation to participate or attend this meeting may request necessary accommodation. Please make your request to the County Board Clerk, specifying your disability, the format in which you would like to receive this Agenda, and any other accommodation required no later than 24 hours prior to the start of the meeting.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS: Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

All supporting documentation is available for public inspection and review in the Office of the Board Clerk, 547 Market Street, Suite 102, Colusa, CA 95932 during regular business hours 8:30 a.m. to 5:00 p.m., Monday through Friday.

**Request For County Board of Supervisors Action**

MEETING DATE: October 30, 2023

DEPARTMENT: Public Works/Road Department

FROM: Michael Azevedo

SUBJECT: Emergency Repairs on County Line Road

Find that roadway structural section failure on County Line Road creates an emergency and repairs will not permit delay resulting from a competitive solicitation for bids; **further**

Adopt a Resolution delegating authority to the Purchasing Agent and Director of Public Works to procure the necessary equipment, services, and supplies for the repair of County Line Road, without giving notice for bids to let contracts. **(4/5TH VOTE REQUIRED)**

Detailed Description/Background of request

In an attempt to mitigate significant pavement rutting on County Line Road, between the Colusa Basin Drain and Browning Road, the Department began pavement obliteration operations on October 23, 2023. Upon obliteration of the surface, it became evident the structural section beneath the pavement had failed and treatment would be necessary to support traffic loading.

Proposals for sub-grade treatment were solicited from contractors specializing in roadway structural section repair; Western Stabilization, Pavement Recycling Systems Inc. and Anrak. Proposals were received from Pavement Recycling Systems, Inc and Western Stabilization.

The immediate need for this work is driven by the urgency to repair a Major Collector route (between I-5 and State Route 45) prior to the onset of winter, as long range forecasts predict an El Nino weather pattern which most likely will result in another round of significant flooding within the Colusa Basin. It is the Departments opinion that deferral of this base treatment will result in increased repair costs if exposed to 'extreme over-winter' conditions.

Pursuant to Public Contract Code section 22050, the Board may authorize by four-fifths vote, to have the repair work performed without going out to bid, provided they make a finding, based on substantial evidence that the repair is of an emergent nature and the repair is necessary to respond to the emergency.

Prior Board Action

Action Item (ID # 9455)

Meeting of October 30, 2023

None.

Fiscal Impact/Funding Source

Approximate cost: \$500,000 from Road Fund

Action for the Clerk

Provide CBO to Director of Public Works

ATTACHMENTS:

- PUBLIC CONTRACT CODE 22050 (PDF)
- Western Stabilization-County of Colusa - 10.25.23 (PDF)
- Pavement Recycling (PDF)
- County Line Emergency Reso (DOCX)

State of California

PUBLIC CONTRACT CODE

Section 22050

22050. (a) (1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

(2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

(b) (1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).

(2) If the public agency has no county administrative officer, city manager, chief engineer, or other nonelected agency officer, the governing body, by a four-fifths vote, may delegate to an elected officer the authority to order any action specified in paragraph (1) of subdivision (a).

(3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.

(c) (1) If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the governing body meets weekly, it may review the emergency action in accordance with this paragraph every 14 days.

(2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action

and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days.

(3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

(d) As used in this section, “public agency” has the same meaning as defined in Section 22002.

(e) A three-member governing body may take actions pursuant to subdivision (a), (b), or (c) by a two-thirds vote.

(f) This section applies only to emergency action taken pursuant to Sections 20134, 20168, 20205.1, 20213, 20223, 20233, 20253, 20273, 20283, 20293, 20303, 20313, 20331, 20567, 20586, 20604, 20635, 20645, 20682, 20682.5, 20736, 20751.1, 20806, 20812, 20914, 20918, 20926, 20931, 20941, 20961, 20991, 21020.2, 21024, 21031, 21043, 21061, 21072, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21191, 21196, 21203, 21212, 21221, 21231, 21241, 21251, 21261, 21271, 21290, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21472, 21482, 21491, 21501, 21511, 21521, 21531, 21541, 21552, 21567, 21572, 21581, 21591, 21601, 21618, 21624, 21631, 21641, and 22035.

(Amended by Stats. 2017, Ch. 387, Sec. 16. (SB 205) Effective January 1, 2018.)

Project: County Line Road	Name: Brian
Location: Colusa	Company: County of Colusa
Date: 10/25/2023	Phone: 0
	Fax: bmickelson@countyofcolusa.com

This is a proposal to perform treatment of soil on the above project. Western Stabilization does not design or engineer projects. All project information contained in this proposal has been provided through specifications, geotechnical recommendations or contractor request. Western takes no responsibility if project has failures arising from inadequate design specifications. **CA Lic # 642928 CA DIR 1000012593**

Item	Quantity	Unit	Depth	%	Price	Total
Option 1 based on treating one 14" lift						
Lime Treat Road	343,200	SF	14 "	5.0%	\$1.06	\$363,792.00
Option 2 based on treating in 2) 7" lifts						
Lime Treat Road	343,200	SF	14 "	5.0%	\$1.18	\$404,976.00
if option 2 is used contractor above will need to remove and replace top 7" of material						
Proposal Based on 100 PCF soils weight / 5.8 lbs PSF						

Project inclusions:

* Quicklime FOB project site, spread, mix, water trucks, initial sheepsfoot compaction, **ONE mobilization.**

Project exclusions:

* Permits & fees, bonding, agency notifications, project layout, SWPPP program, underground utilities location: marking & potholing, staking, traffic control, flagging barricades, **water source capable of supplying 7,000 gallons every 30 minutes**, pulling of soil from areas inaccessible to mixing equipment, removal of rocks or solids greater than 2" in any dimension, grading & rolling, surface maintenance after initial compaction, curing seal, Contractor is also responsible for all mix designs, engineering, testing and quality control

* Contractor to supply adequate jobsite access for Western Stabilization Equipment.

* Western excludes notification of any underground alert service. By accepting this proposal the contractor accepts sole responsibility for, and all subsequent liabilities associated with requirements of the notification laws.

* Western Stabilization is not responsible for unmarked or mismarked obstructions or if directed to work over shallow utilities.

* Price does not include premium for work done on Saturday or Sunday.

* Note: Damage caused to mixing equipment from hitting unmarked underground or solids greater than 4" in dimension will be charged at a T & M rate for repairs. Material larger than 4" will need to be pre ripped & removed

* All items not specifically included are considered excluded.

* Price is based upon the absence of planters and curbs. In the case of such item's presence, price is subject to adjustment to reflect additional equipment and labor costs.

* Unless otherwise indicated, the unit prices are based on Western Stabilization performing all of the work included in the proposal. If Western Stabilization does not receive a contract for all the work, the unit prices are subject to adjust.

* The unit prices are based on the estimated quantities in the bid proposal. If the quantity of the items decrease by more than 10%, the unit prices are subject to equitable adjustment.

* This is a proposal only for the purpose of establishing a price for the work as outlined. In the event we are low bidder, a formal contract suitable to both parties shall be prepared and fully executed and neither party shall be bound until the contract is executed.

* The terms and conditions of this proposal shall be incorporated into any contract resulting therefrom, and shall govern over any conflicting provisions in said contract. If no contract has been tendered to Western Stabilization and fully executed when Western Stabilization receives notice to commence work on this project, this proposal shall constitute the agreement for both parties with respect to the project and the terms and conditions of our work and payment terms.

* This proposal is good for thirty (30) days from the date hereon, after which time Western Stabilization reserves the right to review the proposal for any change in prices.

* Terms are Net 30 days.



P.O. BOX 1022, 395 INDUSTRIAL WAY, DIXON, CA 95620 / TEL: 707-678-0369 / FAX: 707-678-0911

Western Stabilization

Mike Metz
Chief Estimator

Acceptance:

Contractor's Signature

Date

Attachment: Western Stabilization-County of Colusa - 10.25.23 (9455 : Emergency Repairs on County Line Road)

The Road To Smart Solutions



An Employee Owned Company
**OTHERS TALK SAFETY,
 WE LIVE IT!**

Proposal and Contract**Pavement Recycling Systems, Inc**

CA License# 569352
 OR License# 185556

DIR# 1000003363
 UT License# 6982390-5501
 ID License# 015231-AA-2

NV License# 0036228
 AZ License# 183900
 WA License# 602-840-640

2150 Bell Avenue Suite 125, Sacramento, CA 95838

Phone: (916) 685-2204 Fax: (916) 685-3097

From: Sharon Groesbeck**Email:** sgroesbeck@pavementrecycling.com

To: Brian Mickelson
 County of Colusa
 547 Market Street, Suite 102
 Colusa CA 95932
 bmickelson@countyofcolusa.com

Quote No: 1829270
Phone: (530) 750-9354
Fax: (530) 458-0510
Bid Date: 10/26/2023

We propose to furnish you with labor and material per your representation of job requirements as follows:

COLUSA COUNTY - COUNTY LINE BETWEEN COLUSA BASIN DRAIN & BROWNING RD

Item No	Description	Quantity	UOM	Unit Price	Total Price
Schedule 1					
1	Stabilize Subgrade - 5% Lime @ 14" Depth (5.8 LBS/SF)	343,200	SF	1.180	\$404,976.00

Stabilization - Special Conditions

- 1 PRS TO OBTAIN DIG ALERT NUMBER. CONTRACTOR TO PERFORM ALL UTILITY POTHOLE AND LOCATION AND GIVE PRS ADVANCED NOTIFICATION TO HAVE A PRS REPRESENTATIVE PRESENT DURING THESE OPERATIONS.
- 2 ITEM INCLUDES: Furnish High Calcium Quicklime at a rate up to 5%, (5.8 lbs/sf) spreading, initial mixing and remixing to a depth of 14", water trucks (for stabilization work only), initial compaction and one mobilization.
- 3 STABILIZATION CRITERIA: Price is based on an in-place dry soil weight up to 100 P.C.F. Price will adjust if soil weight is higher. Rate of application and depth of treatment are for estimating purposes only and are not intended for design use.
- 4 PRODUCTION: Lime stabilization to be completed within SIX (6) spread and initial mix shifts plus one (1) remix & compact shift.
- 5 OBJECTS & OVERSIZE: Contractor responsible for locating, marking and/or removal of any utilities and obstructions in and under the mixing section. Processing area shall be free of all rocks, solids and/or debris larger than 3". Damage to equipment from buried objects and/or oversized materials to be billed at time and materials
- 6 CONSTRUCTION WATER: Contractor to provide metered water source within 1,000 feet of the work area, providing a minimum of 4,000 gallons every 20 minutes.
- 7 INACCESSIBLE AREAS: Contractor will need to provide necessary equipment to pull edges and corners and compact areas that are inaccessible to PRS equipment. Areas may include around manholes, risers, utility crossings and areas near curbs and gutter pans.
- 8 UNSTABLE CONDITIONS: CONTRACTOR to provide excavating equipment to assist in pulling our equipment through the grade if necessary.
- 9 MIX DESIGN/QC: Mix Designs, Engineering, Inspections and Testing are EXCLUDED from this proposal.
- 10 STABILIZATION EXCLUDES: Notifications/postings, barricades, traffic control, flagging, layout of work, earthwork, all grading, export of excess materials, mixing table maintenance, final compaction, microcracking, curing, dust control, street sweeping and/or roadway cleanup, S.W.P.P.P measures/devices and potholing for utilities
- 11 BILLING: Stated quantities above on unit pricing work to be used for final minimum billing quantities unless otherwise agreed upon. If final quantity is less than the stated quantity, the full quantity will be billed and a credit for unused materials will be issued where applicable.
- 12 THIS QUOTE IS PROJECT SPECIFIC AND VALID THROUGH DECEMBER 31, 2023. PRICING ADJUSTMENTS MAY APPLY IF PROJECT IS AWARDED/CONTRACTED PAST THIS DATE.
- 13 DISPATCH NOTE: Should you choose to utilize PRS services, we would like to say THANK YOU! For the most efficient service in scheduling, dispatch and job set up, please call us at 916-685-2204 or email us at DispatchNorth@pavementrecycling.com

General Conditions

ACCEPTANCE of this bid/proposal/quotation (Bid) from PAVEMENT RECYCLING SYSTEMS, INC. (PRS) requires that the PRICING, SPECIAL CONDITIONS and the GENERAL CONDITIONS of this Bid be included in any subcontract or purchase order agreement (Contract) and the Bid terms and conditions take precedence over any conflicting terms. PRS will not surrender any portion of extra work or force account mark-ups except those reserved by the owner for the General Contractor. California prompt pay statutes shall be enforced.

(Continued on next page)

Unless otherwise defined in the SPECIAL CONDITIONS of this bid PRS excludes from the services quoted her all: MAINTENANCE AND PROTECTION OF THE COMPLETED PULVERIZED/TREATED SECTIONS, TRAFFIC CONTROL, SURVEYING, LAYOUT, SAWCUTTING AND DUST CONTROL. Upon completion of each segment of the designated work by PRS the work shall be deemed accepted and approved and the Customer shall assume maintenance and protection of the work. All utilities, obstructions, and foreign objects in the work zone must be marked and located by the Customer prior to PRS's work. PRS excludes any damage to unmarked or improperly located obstructions in the zone of work. PRS excludes notification to any underground alert service, marking or location of underground utilities. By accepting the Bid the Customer accepts sole responsibility for, and all subsequent liabilities coincident with the following requirements of the regional notification center law pursuant to Article 2 (commencing with Section 4216) of Chapter 3.1 of Division 5 of Title 1 of the California Government Code.

Any indemnity and defense obligation required from PRS shall be proportional and limited to the extent PRS's acts, omissions, fault or negligence contribute to any alleged or actual claims or damages. Insurance included in this Bid: Commercial Liability \$1MM per occurrence / \$2MM aggregate; \$2MM Products and Completed Operations Aggregate; \$1MM Personal and Advertising Injury; \$1MM Commercial Auto; Worker's Compensation coverage per statute.

Date:

Accepted By:

Page 2 of 2

From: Sharon Groesbeck

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA
DELEGATING AUTHORITY TO THE PURCHASING AGENT AND DIRECTOR OF PUBLIC
WORKS TO PROCURE THE NECESSARY EQUIPMENT, SERVICES, AND SUPPLIES FOR
THE REPAIR OF COUNTY LINE ROAD, WITHOUT GIVING NOTICE FOR BIDS TO LET
CONTRACTS.**

WHEREAS, on October 23, 2023 the Public Works Department began pavement obliteration operations on County Line Road between the Colusa Basin Drain and Browning Road;

WHEREAS, after beginning pavement obliteration operations it was discovered that the structural section beneath the pavement had failed and treatment would be necessary to support traffic loading;

WHEREAS, the current weather predictions for the winter indicate the probability of flooding in the area;

WHEREAS, this roadway is a significant collector road and delays in repairing the road would result in potential harm to the residents of Colusa County; and

NOW, THEREFORE, BE IT RESOLVED that the Colusa County Board of Supervisors finds, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency

BE IT FURTHER RESOLVED that the Colusa County Board of Supervisors does hereby authorize the Purchasing Agent and Director of Public Works to procure the necessary equipment, services, and supplies for the repair of County Line Road, without giving notice for bids to let contracts..

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PASSED AND ADOPTED this 30th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

Kent S. Bose, Board Chair

ATTEST: Wendy Tyler
Clerk to the Board of Supervisors

Patricia Rodriguez, Deputy Clerk

APPROVED AS TO FORM:

Richard Stout, County Council